

Van Buren County Brownfield Redevelopment Authority Regular Meeting Minutes November 18, 2020

**Meeting Host and Secretary-Treasurer at BRA Office, Suite 302, 219 E. Paw Paw St, Paw Paw MI 49079
All other attendees participated online from remote locations**

Note for the Record—This meeting was held online using Zoom webinar as authorized in the Michigan Open Meetings Act. The meeting notice and tentative agenda, including the Zoom Meeting ID Number and login instructions, were properly and timely posted on the county's website to allow public participation. Each Board Members who attended remotely announced upon the start of the meeting or upon subsequent arrival his/her specific remote location (municipality/county/state) as required in the Act.

Board Member Attendance Report									
Name	Position	Attendance Status	Declared Remote Location			Present	Present	+ Late	- Early
			Municipality	County	State	Anytime	@ Start	Arrivals	Departs
Lisa Phillips	Chair	Attended remotely	Porter Township	Van Buren	Michigan	Yes	Yes		
Jan Petersen	Vice Chair	Did not attend meeting	Hamilton Township	Van Buren	Michigan	No	No		
Gail Patterson-Gladney	Member	Attended remotely	South Haven City	Van Buren	Michigan	Yes	Yes		
Cynthia Compton	Member	Attended remotely	South Haven City	Van Buren	Michigan	Yes	Yes		
Kate Hosier	Member	Attended remotely	South Haven City	Van Buren	Michigan	Yes	No	3:38 PM	
Sarah Moyer-Cale	Member	Attended remotely	Paw Paw Village	Van Buren	Michigan	Yes	Yes		
Katie Strohauer	Member	Attended remotely	Kalamazoo City	Kalamazoo	Michigan	Yes	No	3:39 PM	
Zach Morris	Member	Attended remotely	Antwerp Township	Van Buren	Michigan	Yes	Yes		
Dr. Patrick Creagan	Member	Attended remotely	Decatur Village	Van Buren	Michigan	Yes	Yes		
Count:						8	6	2	0
Members Present:							6 of 9	8 of 9	8 of 9
Quorum (Yes/No):							Yes	Yes	Yes

1. Call to Order and Determination of Quorum and Attendees

At 3:32 pm, by Chairperson Lisa Phillips, with attendees/absentees/remote locations/quorum status above and as follows:

- a. **Board Members Present (8); Board Members Absent (1); Board Vacancies: (0).** A quorum (6 of 9) is initially present.
- b. **Staff and Others Present:** Secretary-Treasurer Wayne Nelson; Envirologic Technologies Inc Consultant Erik Peterson; County Treasurer and Land Bank Chair Trisha Nesbitt; Michael Callaghan for Applicant Four Leaf MHC LLC; Matt Gritter and Doug Gritter (Doug left prior to New Business) for property owner Lienholders LLC. There were no anonymous attendees.

2. Approval of Agenda--Motion by Creagan, supported by Morris, to approve the prepared agenda. Approved by a vote of 6-0.

3. Approval of Minutes of Regular Meeting held October 14, 2020--Motion by Patterson-Gladney, supported by Creagan, to approve the minutes of the Regular Meeting held October 14, 2020, with the correction of "Bard" to "Board" in Item 5b. Approved by a vote of 6-0.

4. Public Comment—None

Board Member Arrivals—Kate Hosier and Katie Strohauer arrived as shown above. A quorum (8 of 9) continues.

5. Secretary-Treasurer's Report--Nelson presented a written report with oral enhancements and action items as follows:

- a. **Invoices for Approval**--The following invoices were presented for approval:

Amount	Vendor	Invoice #	Invoice Date	Reason
EPA Grant Invoices:				
\$ 1,443.75	Envirologic Technologies Inc	07068	2020-11-05	153 W Commercial; VMS Design
593.75	Envirologic Technologies Inc	07069	2020-11-05	10335 Blue Star; B-Plan
-	Envirologic Technologies Inc			
\$ 2,037.50	Envirologic Sub-Total			
-	(no other EPA Grant invoices)			
\$ 2,037.50	Total of EPA Grant Invoices			
-	(no non-grant invoices)			
\$ 2,037.50	Total of All Invoices			

Motion by Morris, supported by Compton, to approve the above invoices totaling \$2,037.50 for payment. Approved by a vote of 8-0.

- b. Approve Secretary-Treasurer's Report**—Motion by Hosier, supported by Patterson-Gladney, to approve the Secretary-Treasurer's Report. Approved by a vote of 8-0.

6. Other Correspondence—None.

7. New Business—

- a. Application for Sherman Hills in South Haven**—Michael Callaghan, Manager for the applicant Four Leaf MHC LLC, appeared and explained the history of this long-stalled project and his company's plan to acquire the properties from Lienholders LLC and to develop a modular home community. Matt Gritter, a member of Lienholders LLC, the present property owner, appeared and stated that the property owner is agreeable to transferring the property to the applicant. Erik Peterson and Trisha Nesbitt commented on the linkage of a Brownfield Plan with participation by the VBC Land Bank. The inclusion of the Land Bank will provide for a "brownfield" designation for the property and additionally allow public infrastructure and site preparation expenses to be considered "eligible activities" subject to brownfield reimbursement. One particular financing challenge for the project are costs associated with the connection of individual homes to municipal utilities. Member Kate Hosier (who is also the South Haven City Manager) expressed support for the project. The project encompasses land in both the City of South Haven and in South Haven Charter Township, and the issue of any needed waiver by the city's BRA was not discussed. Erik Peterson presented Work Order #38 for up to \$5,000 for EPA Grant Eligibility determination and for a Brownfield Plan. Member Cynthia Compton announced a financial conflict of interest and stated that she will abstain from voting on matters for this project as she is the Realtor representing Lienholders LLC.

Motion by Moyer-Cale, supported by Morris, to approve the application of Four Leaf MHC LLC, designate this as the "Sherman Hills" project, and approve Work Order #38 for up to \$5,000, with funding source to be identified during the eligibility determination, all conditioned on the receipt of the appropriate application fee, a signed Development Agreement, and a copy of the Applicant's signed purchase agreement. Approved by a vote of 7-0, with Compton abstaining due to the stated financial conflict of interest.

- b. Additional Application for 153 W Commercial Ave, Paw Paw**—Erik Peterson present an application from 153 Commercial Avenue LLC, whose sole member is Michael Bijani. Mr. Bijani purports to have an agreement to purchase the parcels at 153 W. Commercial Ave, in the Village of Paw Paw, from the current owner Susan Bell, and he is applying for EPA Grant Assistance. Erik presented Work Order #37 for up to \$2,500. The VBCBRA has previously authorized Hazardous Substances grant funding for the completion of a Phase I ESA, Limited Phase II ESA, BEA, Due Care documentation, and preparation of conceptual sub-slab depressurization system (SSDS) design plans at the site in support of an anticipated transaction that ultimately did not take place. This WO#37 has been prepared to authorize the use of EPA grant funds to prepare and update environmental assessment documents to support acquisition and redevelopment by the Applicant. Envirologic will utilize all previously generated data and reports to the fullest extent possible in order to prepare documents in an efficient manner. WO#37 includes budget for the preparation of a Phase I ESA Update, Baseline Environmental Assessment (BEA) and documentation for compliance with Due Care on behalf of the Applicant.

Motion by Patterson-Gladney, supported by Hosier, to approve the application of Mr. Bijani and/or 153 Commercial Avenue LLC, and to approve Work Order #37 for up to \$2,500, conditioned on the receipt of the appropriate application fee, a signed Development Agreement, and a copy of the Applicant's signed purchase agreement. Approved by a vote of 8-0.

8. Old Business—EPA Grant/Brownfield Plan Project Updates—Erik Peterson gave brief verbal updates on EPA Grant and Brownfield Plan projects as follows:

- a. 207 E Michigan Ave, Paw Paw**—The applicant has paused the project due to current pandemic/economic conditions.
- b. 05585 Blue Star Hwy**—The draft Brownfield Plan for Essential Storage LLC for 05585 Blue Star Hwy in South Haven Charter Township was approved by the Board on July 8, 2020. Eric Peterson reported continued difficulty having the South Haven Charter Township approve a resolution of support and declaration of functional obsolescence, so plan finalization is deferred until the township acts.
- c. 10336 Blue Star Hwy**—Michael DeGrandchamp, the applicant, is working with ETI on a Brownfield Plan. The South Haven Charter Township Board approved a resolution of support but in the wrong form and a determination of functional obsolescence is needed, so plan finalization is deferred until the township acts.
- d. 413 Delaware St**—The draft Brownfield Plan for Midwest Property LLC (Midwest Fasteners) for parcels in the Village of Decatur was approved by the Board on July 8, 2020. Eric Peterson asked that VBCBRA officers assist in getting this project moving.
- e. 153 Commercial Ave**—Covered in new business.
- f. 23944 Red Arrow Hwy**—Land clearing has commenced, and some likely minimal soil removal must occur. Marcon Ventures has a general contractor who is working with Eric on project costs. A draft Brownfield Plan could be ready soon.

- g. **67902 Red Arrow Hwy**—Brownfield Plan is progressing slowly; Eric reports that the firm's apparent major investor may be on a different track than the Managing Member with whom we have dealt.
- h. **99 Walker Street in Lawton**—ETI is still working with the general contractor and developer to gather brownfield plan costs, so the plan can be finalized. The process is slowed due to mold abatement issues.

9. Other Business/Reports

- a. **Land Bank Report**—Zach Morris and Cynthia Compton reported that the Land Bank Authority meeting for this month featured an extremely useful presentation from the State Land Bank Authority as it related to using the VBC Land Bank to help facilitate Brownfield projects.
- b. **Economic Development Corporation and Other ED Report**—Zach Morris reported on current EDC work and noted that, although planning and interest remain high, the COVID situation is seriously jeopardizing businesses, especially small businesses.

10. General Member Comments—There were no comments of substance.

11. Adjournment— Motion by Compton, supported by Hosier, to adjourn. Approved by a vote of 8-0.
All business being completed, the meeting was adjourned by the Chair at 5:04 pm.



Wayne Nelson, Secretary-Treasurer
Van Buren County Brownfield Redevelopment Authority

Acronyms used in BRA Minutes:

<i>Acronym</i>	<i>Type</i>	<i>Meaning</i>
BRA or VBCBRA	Agency	Van Buren County Brownfield Redevelopment Authority
EPA	Agency	U. S. Environmental Protection Agency
EGLE	Agency	Michigan Department of the Environment, Great Lakes, and Energy
MEDC	Agency	Michigan Economic Development Corporation
VBC	Agency	Van Buren County
VBCBOC or BOC	Agency	Van Buren County Board of Commissioners
VBCEDC or EDC	Agency	Van Buren County Economic Development Corporation
BEA	Environmental Term	Baseline Environmental Assessment
DDCC	Environmental Term	Documentation of Due Care Compliance
ESA	Environmental Term	Environmental Site Assessment (as in Phase II ESA)
QAPP	Environmental Term	Quality Assurance Project Plan
ETI	Company	Envirologic Technologies Inc, the EPA Grant contractor
ED	General Term	Economic development
SEV	Property Tax Term	State Equalized Value-should approximate 50% market value
TV	Property Tax Term	Taxable Value-the value for property tax rate billing